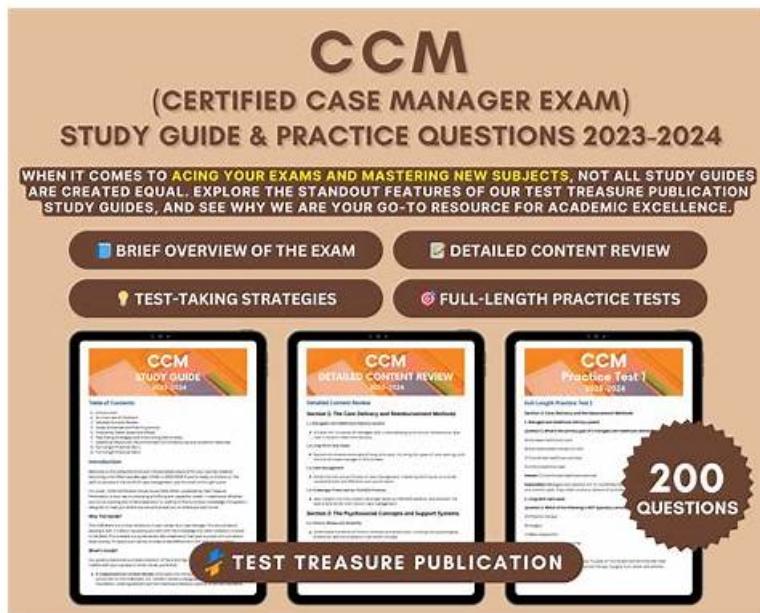


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## Medical Professional Certified Case Manager Certification Exam (CCM) Sample Questions (Q29-Q34):

### NEW QUESTION # 29

The FIDIC Books are evolutions of earlier contract models, and although the different versions of a specific model are not the same, familiarity in definitions and structure makes it easier to work with different FIDIC books as well as with their different editions. Is this statement true or false?

- A. True
- B. False

**Answer: A**

Explanation:

This statement is true. The FIDIC suite of contracts, including Red, Yellow, and Silver Books, have evolved from earlier editions and contract models, but they retain a common structure, terminology, and approach to risk allocation. This familiarity allows professionals who know one FIDIC contract to adapt more easily to other FIDIC contracts or updated editions. For example, common terms like Engineer, Employer, Contractor, Variation, and Claims exist across editions with consistent meaning.

The modular and familiar structure supports easier contract administration, negotiation, and interpretation.

However, differences in clauses, obligations, and procedures between editions (e.g., 1999 vs. 2017) require careful review.

Nevertheless, the shared foundations mean prior experience provides valuable understanding, streamlining learning and application.

References:

FIDIC Contracts Guide, General Introduction and History

FIDIC Contract Manager Study Guide, Module on Introduction to FIDIC Contracts

### NEW QUESTION # 30

Under the FIDIC Red Book (edition 1999), as part of the Contractor submission of Statement, any amount to be deducted for retention, will be calculated by applying the percentage of retention stated in the Appendix to Tender to the total of: (two correct answers apply) Choose all of the correct answers (multiple possibilities).

- A. The estimated contract value of the Works executed.
- B. Any amounts to be added and/or deducted for the advance payment and repayments under Sub-Clause 14.2.
- C. Any amounts to be added and deducted for Plant and Materials in accordance with Sub-Clause 14.5.
- D. Any amounts to be added and deducted for changes in legislation and changes in cost.

Answer: A,C

Explanation:

Under FIDIC Red Book 1999, retention is calculated as a percentage (stated in Appendix to Tender) of the value of Works executed and Plant and Materials in accordance with Sub-Clause 14.5 that are on or off Site but intended for incorporation.

Option A is correct: Retention applies to the value of executed works.

Option D is correct: It also applies to Plant and Materials under Sub-Clause 14.5.

Option B is incorrect; advance payments and repayments are not part of retention calculations.

Option C is incorrect; changes due to legislation or costs are not included in retention calculation.

References:

FIDIC Red Book 1999 Edition, Sub-Clause 14.5 - Plant and Materials; Sub-Clause 14.6 - Retention FIDIC Contract Manager Study Guide, Module on Payment and Retention Procedures

### NEW QUESTION # 31

Under the FIDIC Construction Contract (Red Book), which of the following amendments do NOT comply with the FIDIC Golden Principles? [1999 Edition] (2 correct answers apply) Choose all of the correct answers (multiple possibilities).

- A. The Payment shall be released by the Employer within 180 days calculated from receiving the Contractor's Monthly Statement
- B. Deletion of Sub-Clauses 20.2 - 20.4 for a Project constructed in United Arab Emirates
- C. The DAB Decision is final and binding
- D. The Contractor is responsible for the performance of the Nominated Subcontractors

Answer: A,B

Explanation:

Option B is correct: Deleting critical dispute resolution Sub-Clauses 20.2 - 20.4 contradicts the Golden Principles by undermining fair dispute handling.

Option D is correct: Extending payment release to 180 days violates timely payment principles and fairness in cash flow management.

Option A is generally acceptable as the Contractor often assumes responsibility for nominated subcontractors.

Option C is acceptable in some jurisdictions and contracts to provide finality but can be debated.

References:

FIDIC Contract Management Guidelines - Golden Principles

FIDIC Red Book 1999 Edition, Clauses 20 and 14

### NEW QUESTION # 32

Which two of the following statements are correct regarding the dayworks under FIDIC Red, Yellow, and Silver Books (both editions)?

Choose all of the correct answers (multiple possibilities).

- A. The dayworks related Sub-Clause is only used for remeasurement in the FIDIC Red Book (both editions) only.
- B. The dayworks related Sub-Clause is also applicable to other types of works.
- C. If a Daywork Schedule is not included in the Contract, the Sub-Clause related to dayworks shall not apply.
- D. The Engineer (or the Employer in case of FIDIC Silver Book) may instruct that "a Variation shall" be executed on a daywork basis.

**Answer: B,D**

Explanation:

Dayworks refer to works executed on a time basis (e.g., labor and plant) with payment made according to predetermined rates rather than a lump sum or unit rate contract price.

\* Option A is incorrect. Even if a Daywork Schedule is not initially included, the dayworks Sub-Clause (e.g., Sub-Clause 13.7 in Red and Yellow Books, 13.8 in Silver Book 1999) still applies to dayworks ordered during the contract execution. The schedule facilitates pricing, but the Sub-Clause governs the method and conditions for dayworks.

\* Option B is correct. The dayworks Sub-Clause is applicable not only to traditional construction works but can also be applied to other types of works, such as variations or additional works that cannot be precisely measured or foreseen and are charged on a time basis.

\* Option C is incorrect. The dayworks Sub-Clause is used in all FIDIC standard forms (Red, Yellow, and Silver Books), not only for remeasurement in the Red Book. In the Yellow Book (plant and design-build) and Silver Book (EPC/turnkey), dayworks are similarly applicable for certain variations or unforeseen works.

\* Option D is correct. The Engineer (in Red and Yellow Books) or the Employer (in the Silver Book, where the Engineer's role is limited) may instruct that a variation be executed on a daywork basis. This instruction is typically used when the scope or quantity cannot be reasonably pre-determined.

References:

FIDIC Red Book 2017 Edition, Sub-Clause 13.7 - Dayworks

FIDIC Yellow Book 2017 Edition, Sub-Clause 13.7 - Dayworks

FIDIC Silver Book 1999 Edition, Sub-Clause 13.8 - Dayworks

FIDIC Contract Manager Study Guide, Module on Contract Administration Procedures

### NEW QUESTION # 33

A large sewage pump installation has been constructed under the FIDIC Yellow Book (edition 1999). Prior to commencement of the Tests on Completion, the Employer requires the Contractor to issue the Operation and Maintained Manuals. All contract documents are to be drafted in the English language as per Sub-Clause 1.4.

However, the Employer discovers all documents are drafted in a different language: French. The Contractor explains that the territory where the Plant was constructed is a region with French as a second official language, as result of which, this approach is acceptable. This also works for the proposed maintenance company, which is Paris-based. The Employer is surprised and asks you what to do. Select the best fitting advice you should give the Employer.

- A. If French is indeed an official second language of the region where the Plant is built, the Contractor is entitled to deliver the documents in French. The usability in terms of language is not described in Sub- Clause 5.7, so the Employer should accept the Operation and Maintained Manuals in French.
- B. The Employer should check on the Appendix to Tender, Employer's Requirements and / or Particular Conditions. There could very well be specific requirements regarding the language in those. If that is not the case, the language of the Contract determined in Sub-Clause 1.4 and the language of the Operation and Maintained Manuals should in this case be English.
- C. Golden Principle no. 1 states: The duties, rights, obligations, roles and responsibilities of all the Contract Participants must be generally as implied in the General Conditions, and appropriate to the requirements of the project. In this case this means it is appropriate that the Operation and Maintenance Manuals are in French, as the maintenance is based in France.
- D. As the Contract is written in the English language, Sub-Clause 1.4 dictates that the Operation and Maintenance Manuals should be written in English as well.

**Answer: B**

Explanation:

The best advice is to verify specific contractual documents such as the Appendix to Tender, Employer's Requirements, and

Particular Conditions, which may specify the required language for Operation and Maintenance Manuals. If no specific provision is made, the default language is that of the Contract as per Sub- Clause 1.4, which in this case is English. Therefore, the Contractor is generally obliged to provide manuals in English unless otherwise specified. Options B, C, and D are less comprehensive or may disregard contractual hierarchy or project-specific details.

References:

FIDIC Yellow Book 1999 Edition, Sub-Clause 1.4 - Language

FIDIC Yellow Book 1999 Edition, Sub-Clause 5.7 - Operation and Maintenance Manuals FIDIC Contract Manager Study Guide, Module on Contract Language and Documentation

## NEW QUESTION # 34

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